

**SECOND AMENDED NOTICE OF APPEAL  
TO  
U.S. COURT OF APPEALS, THIRD CIRCUIT**

U.S. District Court for the District of New Jersey (Newark)

John B. Shafer,

**Circuit Court Docket No: 09-4022 & 10-1742**

v.

**District Court  
Docket No:2:08-cv-02884-DRD-MAS**

United General Title  
Insurance Company, First  
American Corporation, First  
American Title Insurance Company  
& Gary Kermott

**District Court  
Judge: Dickinson R. Debevoise**

Notice is hereby given that the plaintiff, John B. Shafer appeals to the United States Court of Appeals for the Third Circuit, from the order granting defendants' motion for summary judgment dismissing the Complaint and denying plaintiff's cross-motion for summary judgment filed on July 8, 2009; the order denying plaintiff's motion for reconsideration filed on Sept. 21, 2009; and the Order and Final Judgment awarding defendants attorneys fees in the amount of \$129,573.30 and costs in the amount of \$4680.76 for a total amount of \$134,254.06, filed on March 26, 2010.

Dated: April 5, 2010

cc: Theresa A. Kelly, Esq. (via e-filing)

s/Noel E. Schablik  
Noel E. Schablik, Esq.  
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Counsel for Appellant  
John B. Shafer

**CERTIFICATE OF SERVICE**

I, **Noel E. Schablik**, do hereby certify that I filed an original of this Second Amended Notice of Appeal with the Clerk of the United States District Court and served a copy thereof on my adversary via Electronic Case Filing addressed to the following:

William T. Walsh, Clerk  
U.S. District Court  
District of New Jersey  
M.L. King, Jr. Federal Bldg. and U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07101

Theresa A. Kelly, Esq.  
Day Pitney, LLP  
200 Campus Drive  
Florham Park, New Jersey 07932  
[tkelly@daypitney.com](mailto:tkelly@daypitney.com)

I further certify that on the same date a courtesy hard copy of this Second Amended Notice of Appeal was sent to the Hon. Dickinson R. Debevoise, U.S.D.J., at the United States District Court, M.L. King, Jr. Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, via Lawyers Service messenger delivery.

Date: April 5, 2010

s/Noel E. Schablik  
Noel E. Schablik, Esq.  
Counsel for Appellant